IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 5182/2003

M/S NARAIN SAHAI & CO. Vs. STATE OF RAJ. & ORS.

DATE: 14.11.2007

HON'BLE MR. JUSTICE K.S. RATHORE

Mr. R.S. Mehta for the petitioner.
Mr. Inderjeet Singh for the respondents.

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It is not disputed that this writ petition is filed prior to new policy framed in the year 2005 pursuant to the directions issued by the Division Bench of this Court vide judgment dated 06.03.2002 rendered in the case of **M/s Ved Prakash Ramesh Chandra & Co. & Ors. Vs. State & Ors., 2002(3) WLN 383.**

Both the learned counsel for the respective parties do not dispute that the new policy of 2005 is in force.

Learned counsel for the petitioner submits that even as per new policy, the petitioner is liable to get the shop and it is also alleged that number of shops are lying vacant with the respondent Krishi Upaj Mandi Samiti, Chomu, District Jaipur.

Learned counsel for the respondents also submits that they will invite the application as per

the new policy and the petitioner's case can only be considered when they will invite applications for allotment of shops which are lying vacant pursuant to the policy framed by the Krishi Upaj Mandi Samiti and made effective from 25.04.2005.

Be that as it may. The petitioner is at liberty to apply as and when applications are invited and the respondents are directed to consider the application of the petitioner strictly in accordance with the new policy of 2005 for allotment of shops in question.

With these observations, the writ petition stands disposed of.

The stay application stands dismissed.

(K.S. RATHORE),J.

/KKC/